

Stephen E. Hessler
Mark E. McKane (*admitted pro hac vice*)
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

*Counsel for Elliott Management Corporation and
King Street Capital Management, L.P.*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

LEHMAN BROTHERS HOLDINGS INC., *et al.*

Debtors.

Chapter 11

Case No. 08-13555 (JMP)

(Jointly Administered)

**JOINDER AND RESERVATION OF
RIGHTS OF ELLIOTT MANAGEMENT CORPORATION
AND KING STREET CAPITAL MANAGEMENT, L.P. IN SUPPORT
OF OBJECTION BY JOINT ADMINISTRATORS OF LBHI2 TO (I) MOTION
OF CARVAL INVESTORS, LLC FOR LEAVE TO EXAMINE LBHI PURSUANT TO
BANKRUPTCY RULE 2004; AND (II) MOTION OF DAVIDSON KEMPNER CAPITAL
MANAGEMENT LLC, AS INVESTMENT ADVISOR, FOR LEAVE TO EXAMINE
LBHI PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURES 2004**

Elliott Management Corporation (“Elliott”) and King Street Capital Management, L.P. (“King Street,” and together with Elliott, the “Transaction Parties”), as parties to a settlement agreement with LB Holdings Intermediate 2 Limited (in administration) (“LBHI2”), hereby amend their LBHI Joinder¹ also to join in the Objection by the Joint Administrators² in response

¹ On October 22, 2013, the Transaction Parties filed their *Joinder and Reservation of Rights of Elliott Management Corporation and King Street Capital Management L.P. in Support of Objection of Plan Administrator to Motions for Leave to Examine Lehman Brothers Holdings Inc. Pursuant to Federal of Bankruptcy Procedures 2004 and Joinders Thereto* (the “LBHI Joinder”) [Docket No. 40671].

² On October 23, 2013, the Joint Administrators of LBHI2 (the “Joint Administrators”), filed their *Objection by Joint Administrators of LBHI2 to (I) Motion of CarVal Investors, LLC for Leave to Examine LBHI Pursuant to Bankruptcy Rule 2004; and (II) Motion of Davidson Kempner Capital Management LLC, as Investment Advisor, for*

to the motions of CarVal Investors, LLC (“CarVal”) and Davidson Kempner Capital Management LLC (“DK”) for leave to examine LBHI pursuant to Federal Rule of Bankruptcy Procedure 2004 and the various joinders thereto (collectively, the “2004 Motions”).³

RESERVATION OF RIGHTS

The Transaction Parties reserve all of their rights to: (i) present arguments and be heard at any hearing regarding the 2004 Motions; (ii) file supplemental materials and papers; (iii) object to any specific request for documents or examination pursuant to Rule 2004; (iv) submit their own request for documents or examination pursuant to any Rule 2004 Order; (v) seek protective orders; and (vi) request any further relief as may be appropriate.

CONCLUSION

The Transaction Parties respectfully request that this Court deny the 2004 Motions.

Leave to Examine LBHI Pursuant to Federal Rule of Bankruptcy Procedures 2004 (the “Objection”) [Docket No. 40677].

³ Joinders to the 2004 Motions also were filed by the Baupost Group, L.L.C. (“Baupost”), *see Joinder of the Baupost Group, L.L.C. to Motion of CarVal Investors, LLC for Leave to Examine BHI Pursuant to Federal Rule of Bankruptcy Procedure 2004* [Docket No. 40497], the Ad Hoc Group of Lehman Brothers Creditors, *see Statement of the Ad Hoc Group of Lehman Brothers Creditors in Response to the Motion of CarVal Investors, LLC for Leave to Examine LBHI Pursuant to Federal Rule of Bankruptcy Procedure 2004* [Docket No. 40520], Attestor Capital LLP (“Attestor”), *see Joinder of Attestor Capital LLP in Support of Motions of CarVal Investors, LLC and Davidson Kempner Capital Management LLC for Leave to Examine LBHI Pursuant to Federal Rule of Bankruptcy Procedure 2004* [Docket No. 40543], and SPCP Group, LLC (“SPCP” and together with CarVal, DK, Baupost, the Ad Hoc Group of Lehman Brothers Creditors and Attestor, the “Movants”), *see Limited Joinder of SPCP Group, to (1) Motion of CarVal Investors, LLC for Leave to Examine LBHI Pursuant to Federal Rule of Bankruptcy Procedure 2004 and (2) and Motion of Davidson Kempner Capital Management LLC for Leave to Examine LBHI Pursuant to Federal Rule of Bankruptcy Procedure 2004* [Docket No. 40539].

DATED: New York, New York
October 23, 2013

By: /s/ Stephen E. Hessler
Stephen E. Hessler
Mark E. McKane (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

*Counsel for Elliott Management Corporation and
King Street Capital Management, L.P.*